

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA  
CHARLESTON DIVISION**

IN RE: ETHICON, INC.,  
PELVIC REPAIR SYSTEMS  
PRODUCTS LIABILITY LITIGATION

MDL NO. 2327

---

THIS DOCUMENT RELATES TO THE CIVIL ACTION NOS. LISTED ON THE ATTACHED EXHIBITS:

**JOINT MOTION TO DISMISS DEFENDANT  
AMERICAN MEDICAL SYSTEMS, INC. WITH PREJUDICE**

Plaintiffs in the cases listed on the attached Exhibits A-C and defendant American Medical Systems, Inc. (“AMS”) advise the Court that they have compromised and settled all claims between them in these actions, including all counterclaims, cross-claims and third party claims. Accordingly, Plaintiffs and AMS jointly move the court to dismiss AMS as a defendant in these actions with prejudice, and terminate AMS from the docket in these actions, parties to bear their own costs. Other defendants remain in these actions, and plaintiffs will continue to pursue their actions against them.

Respectfully:

/s/ Barbara Binis  
Barbara Binis  
REED SMITH  
Three Logan Square, Suite 3100  
1717 Arch Street  
Philadelphia, PA 19103  
215.851.8100 (phone)  
215.851.1420 (fax)  
bbinis@reedsmith.com

/s/ Erik W. Legg  
Erik W. Legg  
FARRELL WHITE & LEGG  
P. O. Box 6457  
Huntington, WV 25772-6457  
304.522.9100 (phone)  
304.522.9162 (fax)  
EWL@farrell3.com

*Attorneys for Defendant American Medical Systems, Inc.*

/s/ Laura J. Baughman

Laura J. Baughman  
BARON & BUDD  
Suite 1100  
3102 Oak Lawn Avenue  
Dallas, TX 75219-4281  
214.521.3605 (phone)  
214.520.1181 (fax)  
lbaughman@baronbudd.com  
*Attorney for Plaintiff on Exhibit A*

/s/ Erin K. Copeland

Erin K. Copeland  
FIBICH LEEBRON COPELAND BRIGGS JOSEPHSON  
1150 Bissonnet Street  
Houston, TX 77005  
713.751.0025 (phone)  
713.751.0030 (fax)  
ecopeland@fibichlaw.com  
*Attorney for Plaintiffs on Exhibit B*

/s/ Alan S. Lazar

Alan S. Lazar  
MARLIN & SALTZMAN  
Suite 208  
29229 Canwood Street  
Agoura Hills, CA 91301  
818.991.8080 (phone)  
818.991.8081 (fax)  
alazar@marlinsaltzman.com  
*Attorney for Plaintiff on Exhibit C*

Dated: December 21, 2017

**EXHIBIT A – BARON & BUDD**

<b>CIVIL ACTION NUMBER</b> (listed numerically in ascending order)	<b>CASE NAME</b>
2:14-CV-25113	Lynn Newbauer v. Ethicon, Inc., Johnson & Johnson, American Medical Systems, Inc.

**EXHIBIT B – FIBICH LEEBRON COPELAND BRIGGS JOSEPHSON**

<b>CIVIL ACTION NUMBER</b> (listed numerically in ascending order)	<b>CASE NAME</b>
2:13-CV-16311	Guadalupe Hernandez, Francisco Hernandez v. Ethicon, Inc., Johnson & Johnson, American Medical Systems, Inc.

**EXHIBIT C – MARLIN & SALTZMAN**

<b>CIVIL ACTION NUMBER</b> (listed numerically in ascending order)	<b>CASE NAME</b>
2:12-CV-05839	Georgia Hervey v. Ethicon, Inc., Johnson & Johnson, American Medical Systems, Inc.

**CERTIFICATE OF SERVICE**

I hereby certify that on December 21, 2017, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system which will send notification of such filing to the CM/ECF participants registered to receive service in these member cases.

/s/ Barbara R. Binis  
Barbara R. Binis